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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,163	06/26/2001	Asko Komsı	NC30575	5195
29683	7590	07/01/2005	EXAMINER	
HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			IQBAL, KHAWAR	
			ART UNIT	PAPER NUMBER
			2686	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/894,163

Applicant(s)

KOMSI ET AL.

Examiner

Khawar Iqbal

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe (6539240) and further in view of Bickmore et al (20010019330).

3. Regarding claim 1 Watanabe teaches a system for commanding an entity, comprising (col. 3, lines 1-31):

an entity player for invoking an entity (col.6, lines 19-53), wherein the entity comprises a plurality of methods and further comprises at least a body and a brain for specifying at least an appearance and a behavior, respectively, of the entity when the entity is displayed to a user (col. 7, line 65-col. 8, line 36, col.8, lines 50-61);

an entity editor coupled to the entity player (col. 7, lines 65-col. 8, lines 36, col. 50-61); and

at least one control device coupled to the entity player, wherein the entity player invokes the entity methods in accordance with the control device (col. 9, lines 1-55, see above). Antenna (11) receives image data including first character through a communication channel. An image memory (19) stores image data containing second character. A synthesis unit synthesis the image data received by the antenna and

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stored in the memory respectively. The synthesized image data is expanded and displayed in a display unit (21). A key input unit (20) designates the image data that has to be obtained from the image memory. Watanabe does not specifically teach said entity further comprising a bookmark component that comprises at least one address corresponding to a resource that is reachable by a user of the entity through a data communications network.

In an analogous art, Bickmore et al discloses said entity further comprising a bookmark component that comprises at least one address corresponding to a resource that is reachable by a user of the entity through a data communications network (para. # 0010,0059, 0066-0067). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Watanabe by specifically adding feature, bookmark component that comprises at least one address corresponding to a resource that is reachable by a user of the entity through a data communications network, for forming autonomous personal avatar for electron document for the purpose of increasing efficiency of the system taught by Bickmore et al.

Regarding claim 2 Watanabe teaches a method for commanding an entity, comprising (col. 3, lines 1-31):

selecting an entity wherein the entity includes comprises a plurality of commands that are associated with the entity and further comprises at least a body (col.6, lines 19-53) and a brain for specifying at least an appearance and a behavior respectively of the entity when the entity is displayed to a user (col. 7, line 65-col. 8, line 36, col. 8, lines

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50-61); and selecting at least one entity command (col. 9, lines 1-55). Antenna (11) receives image data including first character through a communication channel. An image memory (19) stores image data containing second character. A synthesis unit synthesizes the image data received by the antenna and stored in the memory respectively. The synthesized image data is expanded and displayed in a display unit (21). A key input unit (20) designates the image data that has to be obtained from the image memory. Watanabe does not specifically teach where the entity further comprises a bookmark component that comprises at least one address corresponding to a resource the method further comprising accessing the resource through a data communications network using the address.

In an analogous art, Bickmore et al discloses where the entity further comprises a bookmark component that comprises at least one address corresponding to a resource the method further comprising accessing the resource through a data communications network using the address (para. # 0010,0059, 0066-0067). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Watanabe by specifically adding feature, where the entity further comprises a bookmark component that comprises at least one address corresponding to a resource the method further comprising accessing the resource through a data communications network using the address, for forming autonomous personal avatar for electron document for the purpose of increasing efficiency of the system taught by Bickmore et al.

Regarding claim 3 Watanabe teaches where selecting the entity commands is performed through the use of an entity editor (col. 9, lines 1-55).

Regarding claim 4 Watanabe teaches a method for commanding an entity, comprising (col. 3, lines 1-31):

downloading an entity, wherein the entity is associated with a plurality of commands and comprises at least a body and a brain for specifying at least an appearance and a behavior, respectively, of the entity when the entity is displayed to a user (col. 7, line 65-col. 8, line 36, col. 8, lines 50-61);

opening the entity in an entity editor to determine the plurality of commands associated with the entity (col. 7, line 65-col. 8, line 36, col. 8, lines 50-61); selecting at least one command; and constructing a message from the selected command (col. 9, lines 1-55). Antenna (11) receives image data including first character through a communication channel. An image memory (19) stores image data containing second character. A synthesis unit synthesis the image data received by the antenna and stored in the memory respectively. The synthesized image data is expanded and displayed in a display unit (21). A key input unit (20) designates the image data that has to be obtained from the image memory. Watanabe does not specifically teach where the entity further comprises a bookmark component that comprises at least one address corresponding to a resource the method further comprising accessing the resource through a data communications network using the address.

In an analogous art, Bickmore et al discloses where the entity further comprises a bookmark component that comprises at least one address corresponding to a

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resource the method further comprising accessing the resource through a data communications network using the address (para. # 0010,0059, 0066-0067). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Watanabe by specifically adding feature, where the entity further comprises a bookmark component that comprises at least one address corresponding to a resource the method further comprising accessing the resource through a data communications network using the address, for forming autonomous personal avatar for electron document for the purpose of increasing efficiency of the system taught by Bickmore et al.

Regarding claim 5 Watanabe teaches a method for interpreting an entity, comprising (col. 3, lines 1-31):

retrieving, by an entity-enabled device (col.15, lines 16-36), an entity that comprises a plurality of commands and further comprises at least a body and a brain for specifying at least an appearance and a behavior, respectively, of the entity when the entity is displayed to a user, wherein the entity-enabled device includes an entity player for interpreting commands (col. 7, line 65-col. 8, line 36, col. 8, lines 50-61);

Determining, by the entity player, whether the commands are compatible with the entity-enabled device (col.3, lines 18-45, col. 12, lines 6-40, see figs. 9-10); and

Interpreting, by the entity player, commands determined to be compatible with on the entity-enabled device (col. 3, lines 18-45, col. 12, lines 6-40, see figs. 9-10).

Antenna (11) receives image data including first character through a communication channel. An image memory (19) stores image data containing second character. A

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synthesis unit synthesis the image data received by the antenna and stored in the memory respectively. The synthesized image data is expanded and displayed in a display unit (21). A key input unit (20) designates the image data that has to be obtained from the image memory. Watanabe does not specifically teach where the entity further comprises a bookmark component that comprises at least one address corresponding to a resource the method further comprising accessing the resource through a data communications network using the address.

In an analogous art, Bickmore et al discloses where the entity further comprises a bookmark component that comprises at least one address corresponding to a resource the method further comprising accessing the resource through a data communications network using the address (para. # 0010,0059, 0066-0067). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Watanabe by specifically adding feature, where the entity further comprises a bookmark component that comprises at least one address corresponding to a resource the method further comprising accessing the resource through a data communications network using the address, for forming autonomous personal avatar for electron document for the purpose of increasing efficiency of the system taught by Bickmore et al.

Regarding claim 6 Watanabe teaches a multi-component logical entity storable in a memory medium comprising (col. 3, lines 1-31):

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a media pool component, a body component, a brain component, an entity methods component that comprises at least one entity method (col.9, lines 15-24 and 41-67); and

where said entity is responsive to a player to be invoked by the player, where said player is coupled to an entity editor and to at least one control device and executes the at least one entity method in cooperation with the at least one control device (col. 7, line 65-col. 8, line 36, col. 8, lines 50-61, col. 11, lines 15-43). Antenna (11) receives image data including first character through a communication channel. An image memory (19) stores image data containing second character. A synthesis unit synthesizes the image data received by the antenna and stored in the memory respectively. The synthesized image data is expanded and displayed in a display unit (21). A key input unit (20) designates the image data that has to be obtained from the image memory. Watanabe does not specifically teach a bookmark component comprising at least one Universal Resource Identifier (UR1) corresponding to a resource that is reachable by a user of the multi-component logical entity through a data communications network.

In an analogous art, Bickmore et al discloses a bookmark component comprising at least one Universal Resource Identifier (UR1) corresponding to a resource that is reachable by a user of the multi-component logical entity through a data communications network (para. # 0010,0059, 0066-0067). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Watanabe by specifically adding feature, a bookmark component comprising at least one Universal Resource Identifier (UR1) corresponding to a

resource that is reachable by a user of the multi-component logical entity through a data communications network, for forming autonomous personal avatar for that are attached to an electron document for the purpose of increasing efficiency of the system taught by Bickmore et al.

Regarding claim 7 Watanabe teaches where said player comprises an entity language interpreter that is responsive to a received entity method comprising a command sequence to parse and interpret commands of the command sequence (col. 8, lines 1-35, col. 9, lines 1-55).

Regarding claim 8 Watanabe teaches where said player, when interpreting a command, refers to entity instincts to determine what actions are required to execute the command, and makes calls to resources in order to run the required actions (col. 9, lines 1-55, col. 11, lines 15-65).

Regarding claim 9 Watanabe teaches where said player is embodied within a wireless communications terminal (fig. 1).

Regarding claim 10 Watanabe teaches where said player is embodied within a component of a wireless network and invokes the entity and executes the at least one entity method on behalf of a wireless communications terminal (col. 9, lines 1-55, col. 11, lines 15-65, col. 14, line 62-col. 15, line 50).

Regarding claim 11 Watanabe teaches where a user of the wireless communications terminal views a result of the execution of the entity using an entity enabled device (col. 9, lines 1-55, col. 11, lines 15-65, col. 14, line 62-col. 15, line 50).

Regarding claim 12 Watanabe teaches where a user of the wireless communications terminal views a result of the execution of the entity with a computer that is coupled to the player through at least one of a wireless and a wireline connection (col. 9, lines 1-55, fig. 1).

Regarding claim 13 Watanabe teaches where said entity is received over a wireless communications channel as part of a message (col. 9, lines 1-55, col. 11, lines 15-65, col. 14, line 62-col. 15, line 50).

Regarding claim 14 Watanabe teaches where said entity is transmitted to a wireless communications channel as part of a message (col. 9, lines 1-55, col. 11, lines 15-65, col. 14, line 62-col. 15, line 50).

Response to Arguments

4. Applicant's arguments filed 7-30-04 have been fully considered but they are not persuasive. Examiner has thoroughly reviewed applicant's arguments but firmly believes the cited reference to reasonably and properly meets the claimed limitations. Applicant's argument was that "a bookmark component that comprises at least one address corresponding to a resource that is reachable by a user of the entity through a data communications network". In response, examiner would like to point out that Bickmore et al discloses entity (112 or 600 having avatar links, see figs. 1 and 13, para. # 0064, 0050), further comprising a bookmark component that comprises at least one address (the examiner considers an addressing mechanism that comprises representation of address as avatars links) corresponding to a resource that is

reachable by a user of the entity through a data communications network (para. # 0010,0050,0059-0060, 0066-0067). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Applicant always has the opportunity to amend the claims during prosecution, and broad interpreted by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. *In re Prater*, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969).

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Khawar Iqbal whose telephone number is (571) 272-7909.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, **Marsha D. Banks-Harold** can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Khawar Iqbal

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